

CAMDEN COUNTY BOARD OF COMMISSIONERS
TUESDAY, APRIL 17, 2001, 6:00 P.M.
WOODBINE, GEORGIA

A recessed meeting of the Camden County Board of Commissioners was held on Tuesday, April 17, 2001, at 6:00 p.m. in the Commissioners' Meeting Room at the Courthouse in Woodbine, Georgia.

Present: Chairman Stephen L. Berry; Vice Chairman David L. Rainer; Commissioner Kenneth G. Hase; Commissioner Preston Rhodes; Commissioner Robert G. Becker; County Administrator Barrett T. King; County Attorney O. Brent Green; Assistant County Administrator Nancy C. Weisensee.

Chairman Berry called the meeting to order at 6:00 p.m.

Nancy Weisensee delivered the invocation.

Chairman Berry led the Pledge of Allegiance.

The Roll Call indicated all Commissioners present.

AGENDA AMENDMENTS:

Motion by Commissioner Becker, seconded by Commissioner Rainer, and voted unanimously to add Item 4 e. FEMA Contract.

PRESENTATIONS:

Chairman Berry read and presented Proclamations: 1) A Proclamation to recognize the staff of the Camden County EMS Department for outstanding and meritorious service in support of the victims of the Massey Hill Classical High School bus accident, and 2) A Proclamation to thank the citizens of Camden County for their generosity and support for the victims of the accident. (Copies of the Proclamations are attached to these minutes.)

PUBLIC COMMENTS:

Chairman Berry asked for any comments other than the Enterprise Zone. Chairman Berry stated that comments regarding the proposed Enterprise Zone would be allowed during the discussion under old business, item 3 b.

There were no public comments on any other issue.

1. Approval of minutes for April 3, 2001:

Motion by Commissioner Rhodes, seconded by Commissioner Becker, and voted unanimously to approve the minutes for April 3, 2001.

2. Reports:

The Commissioners reviewed the Board Calendar and the Appointment Status report with Nancy Weisensee.

The Commissioners agreed to appoint Gracie Liles to the Sex Education Curriculum Committee and the Camden County Board of Health.

3. Old Business:

a. Agreement – Chamber of Commerce:

The Commissioners were informed that the Chamber has the Agreement on hold.

b. Enterprise Zone at Dover Bluff:

Chairman Berry asked for comments from the citizens.

Glennie Jackson, North Camden Action Association, stated that he thought Mr. McDonough had a good plan for development at the Dover Bluff interchange. This is a good opportunity for school, medical facilities, fire station, water and sewer, and police protection.

Billie Ashe stated that she lives on the north end and is not going to give up until the County does something for the north end.

Jorene Lavender wants to see this development. The County needs this project.

Sandy Feller stated that if this project is turned down the County could be exposed to legal action. He hopes this project is approved.

Vernon Copeland lives near the proposed project. Mr. Copeland wants to know why marsh land is included in the 1,561 acres. He does not believe in free taxes. Are we showing partiality and is every developer and home owner getting tax abatement.

Ms. Massey stated that she travels to Brunswick to shop, and if there was development in the north end of the County, she would shop there.

Barry King read a written statement from Hal Wright who stated that the County should not be in a hurry to approve this area as an Enterprise Zone.

Joe McDonough stated that he has a new proposal because of the Commissioners' concerns about tax abatement. Mr. McDonough stated he needs Enterprise Zone in order to fund the development, and he would like to propose that his company give annual payments to the County in the same amount as the taxes would be. Mr. McDonough asked that the Board approve the advertising of the Enterprise Zone Ordinance.

Motion by Commissioner Hase, seconded by Commissioner Becker, and voted unanimously to withdraw the motion under Item 4 d. Enterprise Zone at Dover Bluff in the April 3, 2001, minutes.

Motion by Commissioner Becker, seconded by Commissioner Hase, to advertise the Ordinance to establish an Enterprise Zone for 1,561 acres as presented.

Commissioner Hase voted aye.

Commissioner Becker voted aye.

Commissioner Rainer voted no.

Commissioner Rhodes voted no.

Commissioner Berry voted no.

Motion by Commissioner Hase, seconded by Commissioner Becker, to advertise the Ordinance to establish an Enterprise Zone as amended to include entire census tract 0101-1 approximately 80,000 acres.

Commissioner Hase voted aye.

Commissioner Becker voted aye.

Commissioner Rainer voted no.

Commissioner Rhodes voted no.

Commissioner Berry voted no.

Chairman Berry asked for a 10-minute recess. (7:25 – 7:35 p.m.)

c. Sex Education Curriculum Committee nominees:

Motion by Commissioner Becker, seconded by Commissioner Rhodes, and voted unanimously to submit Gracie Liles as nominee for the Sex Education Curriculum Committee.

d. Camden County Board of Health appointment:

Motion by Commissioner Becker, seconded by Commissioner Rhodes, and voted unanimously to appoint Gracie Liles to the Camden County Board of Health to fill the vacancy caused by the resignation of Esther Zylstra whose term will expire on December 31, 2001.

4. New Business:

a. Second reading and approval of Tower Ordinance:

Motion by Commissioner Hase, seconded by Commissioner Becker, and voted unanimously to waive the reading, and to approve the Camden County Telecommunications Tower and Antenna Ordinance as follows:

ARTICLE I PURPOSE

The purpose of this Ordinance is to establish guidelines for the siting of all wireless, cellular, television and radio telecommunications towers and antennas. The goals of this ordinance are:

To encourage the location of towers in non-residential areas,

To minimize the total number of towers within the community necessary to provide adequate personal wireless services to residents of Camden County,

To encourage the joint use of new and existing tower sites among service providers,

To locate telecommunication towers and antennas in areas where adverse impacts on the community are minimized,

To encourage the design and construction of towers and antennas to minimize adverse visual impacts, and

To enhance the ability of the providers of telecommunications services to deliver such services to the community effectively and efficiently.

ARTICLE II DEFINITIONS

Except as specifically defined herein, all words used in this ordinance shall be defined in the New Illustrated Book of Development Definitions (current edition, Rutgers). Words not defined herein or in the above referenced text shall be construed to have the meaning given by common and ordinary use, and shall be interpreted within the context of the sentence, section, and article in which they occur.

For the purpose of this Ordinance, certain words or terms used herein shall be defined as follows:

Words used in the singular include the plural and words used in the plural include the singular.

Words used in the present tense include the future tense.

The word “erected” includes the words “constructed”, “located”, or “relocated”.

The word “map” or “zoning map” means the Zoning Map of Camden County, Georgia.

The word “parcel” includes the words “plot”, “lot”, or “tract”.

The word “person” includes the words “individuals”, “firms”, “partnerships”, “corporations”, “associations”, “governmental bodies” and all other legal entities.

The word “shall” is always mandatory and never discretionary.

The words “used” or “occupied” include the words “intended, arranged, or designed to be used or occupied”.

Alternative tower structure – clock towers, bell towers, church steeples, light/power poles, electric transmission towers, man-made trees (without accessory building/structures), and similar natural or man-made alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

Antenna – any exterior apparatus designed for wireless telecommunication, radio, or television communications through the sending and/or receiving of electromagnetic waves (including analog and digital).

Co-location – the placement of the antennas of two or more service providers upon a single tower or alternative tower structure.

Department – the Camden County Planning & Building Department.

Director – the Camden County Planning & Development Director or his/her designee.

FAA – the Federal Aviation Administration.

FCC – the Federal Communication Commission.

Geographic antenna placement area – the general vicinity within which the placement of an antenna is necessary to meet the engineering requirements of an applicant’s cellular network or other broadcasting need.

Governing Authority – the Camden County Board of Commissioners, Georgia.

Height – when referring to a tower or other structure, shall mean the distance measured from ground level to the highest point on the tower structure or appurtenance.

Pre-existing towers and antennas – structures as set forth in Section 303 of this Ordinance.

Public Officer – as used in Sections 41-2-7 through 41-2-17 of the Official Code of Georgia, shall mean the Director of the Camden County Board Planning & Building Department.

Scenic Views – are those geographic areas containing visually significant or unique natural features.

Tower – any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telecommunication towers, man-made trees (with accessory building/structures) and other similar structures

Visual Quality – is the appropriate design, arrangement and location of tower structures in relation to the built or natural environment to avoid abrupt or severe differences.

ARTICLE III APPLICATION OF ORDINANCE

Section 300. District Height Limitations – Except as set forth in Section 302 herein, the requirements of this Ordinance shall govern the location of telecommunications towers that exceed, and antennas that are installed at a height in excess of, fifty (50) feet.

Section 301. Government Exemption – The provision of this Ordinance shall not apply to governmental facilities and structures. Private facilities and structures proposed for placement on governmentally owned property shall not be exempt.

Section 302. Amateur Radio; Receive-Only Antennas – This Ordinance shall not govern any tower, or the installation of any antenna, that is 75 feet or less in height and is owned and operated by a federally-licensed amateur radio station operator from the operator’s residence, or is used exclusively as a receive-only antenna.

Section 303. Pre-existing Towers and Antennas – Any tower or antenna for which a permit has been properly issued prior to the effective date of this Ordinance, other than the requirements in Section 409 and Section 410. Any such towers or antennas shall be referred to in this Ordinance as “pre-existing towers” or “pre-existing antennas”.

If an additional antenna is co-located upon a pre-existing tower after adoption of this Ordinance, then fencing and landscaping requirements in Sections 406 and 407 shall be met as part of the permitting process.

ARTICLE IV GENERAL PROVISIONS

Section 400. Principle or Accessory Use – A tower and/or antenna is considered a principle use if located on any lot or parcel of land as the sole or primary structure, and is considered an accessory use if located on a lot or parcel shared with a different existing primary use or existing structure. An existing use or structure on the same lot or parcel shall not preclude the installation of an antenna or tower. For purposes of determining whether the installation of a tower or an antenna complies with zoning district requirements, including but not limited to set-back, buffer and other requirements, the dimensions of the entire lot or parcel shall control, even though the antenna or tower may be located on a leased area within such lot or parcel. Towers that are constructed, and antennas that are installed, in accordance with the provisions of this ordinance shall not be deemed to constitute the expansion of a non-conforming use or structure.

Section 401. Inventory of Existing Sites – To facilitate the co-location of antennas, each applicant seeking to locate a new tower, alternative tower structure or antenna, or modify any such existing structure, shall provide to the Department an inventory of its existing towers or alternative tower structures. Applicants seeking to erect an amateur radio tower or antenna shall be exempt from this provision. The inventory shall include all such structures that are within the jurisdiction of the governing authority; within a municipality located in whole or part, within Camden County; or within one-quarter mile of the border of Camden County, and shall include specific information about the location (latitude and longitude coordinates), address, owner, height, design, tower type, general suitability for antenna co-location of each tower, and other pertinent information as may be required by the Department. The Department may share such information with other applicants for a Tall Structure Permit under this Ordinance or other organizations seeking to locate towers or antennas within the jurisdiction of the governing authority, provided, however that the Department is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.

Section 402. Co-location Design Requirements – In addition to all applicable building and safety codes, all towers, except amateur radio towers, shall be designed to accommodate the co-location of cellular telecommunication antennas according to the following:

- (1) For towers up to 150 feet in height, the structure and fenced compound shall be designed to accommodate at least two providers, and
- (2) For structures greater than 150 feet in height, the structure and fenced compound shall be designed to accommodate at least three providers.

Section 403. Co-location; Availability of Suitable Existing Structures – No new tower, except amateur radio towers, shall be permitted unless the applicant demonstrates to the satisfaction of the Department and the Board of Commissioners that no existing tower or existing alternative tower structure can accommodate the applicant's proposed antenna. All evidence submitted shall be signed and sealed by appropriate licensed professionals or qualified industry experts. Evidence submitted to demonstrate that no existing tower or structure can accommodate the proposed antenna shall consist of the following:

- (1) That no existing towers or suitable alternative tower structures are located within the geographic antennas placement area required to meet the applicant's engineering requirements.
- (2) That existing towers or structures are not of sufficient height to meet the applicant's engineering requirements.
- (3) That existing towers or structures do not have sufficient structural strength to support the applicant's antenna and related equipment.

- (4) That the applicant's proposed antenna(s) would cause electromagnetic interference with the antenna(s) on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.
- (5) That the cost or contractual provisions required by the tower owner to share an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.
- (6) That the applicant adequately demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

Section 404. Permitted Zoning Districts – If it is adequately demonstrated that antenna co-location, as required in Section 403 above, is not possible for a given geographic antenna placement area, constructing a new tower, including placement of additional buildings or other supporting equipment used in connection with said tower or antenna, may be permitted in the following zoning districts:

- (1) A-F (General Agriculture-Forestry)
- (2) A-R (Residential Agriculture)
- (3) C-G (General Commercial)
- (4) C-I (Interchange Commercial)
- (5) I-R (Restricted Industrial)
- (6) I-G (General Industrial)

provided, however, that all structures shall meet the setback, screening and buffer requirements contained herein, and are located a minimum distance of the height of the tower from any residentially-zoned property (not including A-R). As an example, this means a 300-foot tower, not including the guide wires, must be a minimum of 300 feet from any residentially zoned property other than A-R.

Section 405. Aesthetics – The guidelines set forth in this Section shall govern the design and construction of all towers, and the installation of all antennas, governed by this ordinance.

- (1) Towers and/or antennas shall either maintain a galvanized steel or concrete finish or subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness.
- (2) At all tower sites, the design of all buildings and related structures shall use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and building environment.
- (3) For antennas installed on a structure other than a tower, the antenna and supporting electrical and mechanical ground equipment shall be of neutral color so as to make the antenna and related equipment visually unobtrusive.
- (4) Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the governing authority may review the available lighting alternatives and shall approve the design that would cause the least disturbance to the surrounding views.
- (5) No signage or other identifying markings of a commercial nature shall be permitted upon any tower or alternative tower structure within Camden County.

Section 406. Setbacks and Separation – The following setbacks and separation requirements shall apply to all towers.

- (1) Towers shall be setback a distance equal to one-third of the height of the tower from its base to any public right-of-way or property line of the lot or parcel containing the tower.
- (2) Guy wires and accessory buildings and facilities shall meet the minimum setbacks of the zoning district in which the tower is located.

- (3) Towers over 150 feet in height shall not be located closer than 1,500 feet from any existing tower that is over 150 feet in height, unless they are located on the same parcel. This requirement shall not apply to amateur radio towers.

Section 407. Security Fencing/Anti-Climb Devices – All towers and supporting equipment shall be enclosed by fencing not less than six (6) feet in height and shall also be equipped with appropriate anti-climbing devices. Fencing shall be of chain link, wood, or other approved alternative. Amateur radio towers and antennas, or receive-only antennas shall not be subject to the provisions of the Section unless required by the Board of Commissioners through the Tall Structure Permit Process.

Section 408. Landscaping – The following requirements shall govern landscaping surrounding all towers.

- (1) Where adequate vegetation is not present, tower facilities shall be landscaped with a landscaped strip of plant materials that effectively screens the view of the tower compound. Landscaped strips shall be a minimum of fifteen (15) feet in width and located outside the fenced perimeter of the tower compound, not the fenced anchor pads for the towers guy-wires. The tower compound would include the tower and any support buildings associated with the tower or communication devices placed on the tower. This is not to be confused with the lease area that may be as much as seven acres for a typical 300-foot tower.
- (2) Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent possible. Where natural vegetation around the perimeter of the site would provide an adequate visual screen, and undisturbed buffer may be utilized.

Amateur radio towers and antennas, or receive-only antennas shall not be subject to the provisions of this Section unless required by the Board of Commissioners through the Tall Structure Permit process.

Section 409. Review of Tower and Antenna Erection by Airport Division – If upon receipt of an application for the erection of any tower or alternative structure governed by this Ordinance, the Department deems that the proposed structure may interfere with the use of the airways of the County by the public or interfere with the operation of existing or proposed airport facilities, a copy of the application shall be submitted by the Department to the Airport Division of the Department of Transportation for review and recommendations.

Section 410. Federal Requirements - All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the Federal Government with the authority to regulate towers and antennas. If such standards and regulations are changed, the owners of the towers and antennas governed by this Ordinance shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations unless a more stringent compliance schedule is mandated by the controlling Federal Agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense. Any such removal by the governing authority shall be in a manner provided in Sections 41-2-7 through 41-2-17 of the Official Code of Georgia.

Section 411. Building Codes: Safety Standards – To ensure the structural integrity of towers, the owner, permittee or subsequent lessee of a tower or alternative tower structure shall ensure that it is maintained in compliance with standards contained in applicable local building codes and the applicable standards for towers that are published by the Electronic Industry Association, as amended from time to time. If, upon inspection, the Department concludes that a tower fails to comply with all applicable codes and standards, or constitutes a danger to persons or property, then upon receipt of written notice by the owner, permittee, or lessee of the tower, said party shall have fifteen (15) days to bring the tower into compliance with such standards. If the owner, permittee or lessee fails to bring the tower into compliance within the fifteen (15) days, the governing authority may remove the tower at the owner, permittee, or lessee's expense. Prior to

the removal of any tower, the Department may consider detailed plans submitted by the owner, permittee, or subsequent lessee for repairs of substandard towers, and may grant a reasonable extension of the above referenced compliance period. Any such removal by the governing authority shall be in the manner provided in Sections 41-2-7 through 41-2-17 of the Official Codes of Georgia.

Section 412. Change of Ownership Notification – Upon the transfer of ownership of any tower, alternative tower structure, or parcel upon which such a structure has been erected, the tower permittee shall notify the Department of the transaction in writing within 30 days.

ARTICLE V ADMINISTRATIVE APPROVALS

Section 500. General –

- (1) The Department may administratively approve the placement of additional antenna(s) upon towers or alternative tower structures as set forth in Section 502.
- (2) Each applicant requesting an administrative approval under this Ordinance shall submit a scaled site plan, scaled elevation view and supporting drawings, calculations, and other documentation, signed and sealed by appropriate licensed professionals or qualified industry experts, showing the location and dimensions of all improvements, including topography (utilizing minimum two (2) foot contour intervals), tower height requirements, setbacks, access driveways or easements, parking, fencing, landscaping, adjacent uses and zoning, and other information deemed by the Department to be necessary to assess compliance with this Ordinance and compatibility with surrounding uses.
- (3) The Department shall respond to each application within thirty (30) days of its receipt by either approving or denying the application. One thirty (30) day extension of this review period may be exercised by the Department if such additional time is deemed necessary to adequately assess the request. If the Department fails to respond to the applicant within the maximum of sixty (60) days, the applicant shall be deemed approved.
- (4) As part of any administrative approval, the Department may administratively reduce setback requirements by up to ten percent (10%) to compensate for irregularly shaped lots or parcels.
- (5) If a request for administrative approval is denied, the applicant may appeal the decision to the Camden County Board of Appeals. Said appeal to the Board of Appeals shall be filed within thirty (30) days from the date of the decision of the Department, and upon failure to file said appeal within thirty (30) days, said decision of the Department shall be final. The Board of Appeals shall hear an appeal within thirty (30) days of the filing of the appeal. In such an instance, the Board of Appeals may authorize such variances from the terms of the Telecommunications Tower and Antenna Ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the Ordinance will, in an individual case, result in unnecessary hardship, so that the spirit of the Ordinance shall be observed, public safety and welfare secured, and substantial justice done. Such variances may be granted in such individual cases of unnecessary hardship upon a finding by the Board of Appeals that the denial of the variance presents a significant detriment to the telecommunications service provider making application, and that the denial of the variance is insubstantially related to the public welfare.

Section 501. Co-location of Antennas Required – Applicants for the erection of an antenna, except amateur radio operators, shall be required to co-locate upon an existing tower structure. An exception to co-location shall only be made if the applicant adequately demonstrates that an existing tower suitable for co-location does not exist in the geographic antenna placement area utilizing the tower inventory maintained by the Department, and that no suitable alternative tower structure is available as set forth in Section 403 contained herein.

Section 502. Uses Allowed by Administrative Approval – The following uses may be approved by the Department after conducting an administrative review:

- (1) Installation of an antenna on any alternative tower structure (such as a building, sign, light pole, water tower, or other free-standing non-residential structure), and further including the placement of additional buildings or other supporting equipment used in connection with said antenna, so long as such addition does not add more than twenty (20) feet to the height of the existing structure; subject to the zoning district restrictions of Section 404.
- (2) Installation of an antenna on a pre-existing tower of any height, and further including the placement of additional buildings or other supporting equipment used in connection with said antenna, so long as the addition of said antenna adds no more than twenty (20) feet to the height of said pre-existing tower.

ARTICLE VI TALL STRUCTURE PERMIT REQUIRED

Section 600. General – If the proposed location, height, setback, or other aspect of a tower or antenna cannot comply with the minimum requirements established in **Article V. Administrative Approvals** of this Ordinance, then a Tall Structure Permit shall be required for the construction of a tower or the placement of an antenna in any permitted zoning district.

The following provisions shall also govern the issuance of Tall Structure Permits for telecommunications and personal wireless service towers and antennas.

- (1) In granting a Tall Structure Permit, the Board of Commissioners may impose conditions to the extent that it concludes such conditions are necessary to minimize adverse effects from the proposed tower on adjoining or nearby properties.
- (2) All information of an engineering nature that the applicant submits, whether civil, structural, mechanical, or electrical shall be certified by a licensed Georgia professional engineer. However, amateur radio antennas shall meet the requirements of Chapter 18, Building and Building Regulations, of the Official Code of Camden County.

Section 601. Application; contents, fee – All applications for a Tall Structures Permit shall be submitted to the Planning & Building Department. Each application shall contain as a part thereof detailed plans and specifications as set forth in Section 602. An application for a Tall Structures Permit shall not be accepted for processing without the information required in this article. An application fee shall be charged by the Department in an amount stated in the schedule of fees and charges.

Section 602. Exhibits Required – Each application requesting a Tall Structure Permit under this Ordinance shall submit a scaled site plan (no less than 1:100) scaled elevation views and supporting drawings, calculations, and other documentation, signed and sealed by appropriate Georgia licensed professionals or qualified industry experts (where applicable), showing the location and dimensions of all improvements, including topography (utilizing a minimum of two (2) foot contour intervals), tower height requirements, setbacks, access driveways or easements, parking, fencing, landscaping, adjacent uses and zoning, and other information deemed by the Department to be necessary to assess compliance with this Ordinance and compatibility with surrounding uses.

Section 603. Co-location of Antennas Required – Applicants for the erection of a tower or antenna, except amateur radio operators, shall be required to co-locate upon an existing tower structure. An exception to co-location shall only be made if the applicant adequately demonstrates that an existing tower suitable for co-location does not exist in the geographic antenna placement area utilizing the tower inventory maintained by the Department, and that no suitable alternative tower structure is available as set forth in Section 403 contained herein.

Section 604. Public Hearing – Before taking action upon the proposed Tall Structures Permit, the Planning Commission shall hold a public hearing on the matter. At least 15 days prior to the date of the public hearing, the Planning Commission shall cause the following notice requirements to be instituted by the Planning & Building Department:

- (1) A sign shall be erected, in a conspicuous location, on or adjacent to the property under consideration. The sign shall state the time, place, location, and purpose of the public hearing.
- (2) A letter shall be sent by regular mail to all property owners of record abutting parcels, and all residentially-zoned parcels lying in whole or in part within a distance of two (2) times the height of the proposed tower as measured from its base, giving notice of the public hearing. Owners of record shall be as indicated by the Camden County Tax Commissioners records. The letter shall state the same information as required for the sign.

Before taking action upon the proposed Tall Structures Permit, the Board of Commissioners shall hold a public hearing on the matter. At least 15 days prior to the date of the public hearing, the Board of Commissioners shall cause the same public notice requirements as listed in Section 604 to be instituted by the Planning & Building Department:

Section 605. Considerations in Approval or Denial of a Tall Structures Permit – Any denial of a request to place, construct or modify a telecommunications facility shall be in writing and supported by substantial evidence contained in a written report. The governing authority shall consider the following factors in acting upon a Tall Structures Permit application under the provisions of this Ordinance:

- (1) The height and setbacks of the proposed tower;
- (2) The proximity of the tower to residential structures and residential district boundaries;
- (3) The nature of uses on adjacent and nearby properties;
- (4) The surrounding topography;
- (5) The surrounding tree coverage and foliage;
- (6) The design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
- (7) The proposed ingress and egress;
- (8) The availability of suitable existing towers or other structures for antenna co-location; and
- (9) The impact of the proposed tower upon the scenic views and visual quality of the surrounding area.

ARTICLE VII REMOVAL OF ABANDONED TOWERS AND ANTENNAS

Section 700. Removal of abandoned antennas and towers – Any tower or antenna that is not operated for a continuous period exceeding twelve (12) months shall be considered abandoned, and the owner of such antenna or tower shall remove the structure within ninety (90) days of receipt of notice from the Department notifying the owner of such abandonment. If said tower or antenna is not removed within said ninety (90) days, the governing authority may, in the manner provided in the Official Code of Georgia, Sections 41-2-8 through 41-2-17, remove such antenna or tower at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease utilizing the tower.

ARTICLE VIII LEGAL STATUS PROVISIONS

Section 800. Conflict with other Laws – Whenever the regulations of this Ordinance require a greater width, depth, or size of yard or impose other more restrictive standards than are required in or under any other statute or covenants, the requirements of this Ordinance shall govern. Whenever the provisions of any other statute or covenants require more restrictive standards than those of this Ordinance, the provisions of such statutes or covenants shall govern.

Section 801. Severability – In the event any article, section, subsection, sentence, clause, or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other articles, sections, subsections, sentences, clauses, or phrases of this Ordinance, which shall remain in full force and effect, as if the article, section, subsection, sentence, clause, or phrase so declared or adjudged invalid or unconstitutional were not originally a part thereof. The Board of Commissioners hereby declare that it would have adopted the remaining parts of the Ordinance if it had known that such part or parts would be declared or adjudged invalid or unconstitutional.

Section 802. Repeal of Conflicting Resolutions – All resolutions and ordinances or portions thereof in conflict with this Ordinance are hereby repealed.

Adopted in legal assembly this 17th day of April 2001.

b. Planning Commission Business:

Motion by Commissioner Rhodes, seconded by Commissioner Hase, and voted unanimously to approve the Planning Commission Business as presented.

New Business:

Ratcliff, David #R-01-10 – rezone from multi-family residential (R-2) to Agriculture-Forestry (A-F) of 1.02 acres located at the end of Holly Oak Trail. The property is shown on County Zoning/Tax Map 126, parcel 18. (Approved)

Ratcliff, David #S-01-11 – final plat review for a minor subdivision to combine parcels 18 and 19 on Zoning/Tax Map 126 into a single parcel. (Approved)

Heck, William Jr. #SU 01-09 – A Special Use Permit to permit a business for a used tire storage facility/holding site. The site is located on the Dover Bluff Road and is identified a parcel 20 on Zoning/Tax Map 139. (Denied)

Nichols, James & Kinberly #R-010-08 – A rezoning from Agriculture-Forestry (A-F) to Agriculture-Residential (A-R) of 1.5 acres east of Highway 110 north of the Camden County Landfill, parcel 12-A on Zoning/Tax Map 31. (Approved)

Sigmon, Deborah & James #R-01-12 – A rezoning from Agriculture-Forestry (A-F) to Multi-family Residential (R-2) of 1.067 acres located in the southeast quadrant of Highway 17 and Dover Bluff Road, Zoning/Tax Map 111, parcel 77. (Approved with the stipulation that the application not be forwarded to the Board of Commissioners until the revised plat has been submitted.)

Frank Etheridge, Planning & Building Director, stated that he has a request for a temporary permit for a one-day tool sale at the VFW.

Motion by Commissioner Hase, seconded by Commissioner Rhodes, and voted unanimously to approve the temporary permit for the VFW one-day tool sale.

c. Request from HUD for Proclamation – “Fair Housing Month”:

Motion by Commissioner Rainer, seconded by Commissioner Rhodes, and voted unanimously to approve the Proclamation for “Fair Housing Month” for the month of April 2001.

PROCLAMATION

WHEREAS, the Federal and State of Georgia Fair Housing Laws prohibit discrimination in housing based on race, color, religion, sex, disability or handicap, family status, or national origin; and

WHEREAS, the month of April has been designated by the U. S. Department of Housing and Urban Development as National Fair Housing Month; and

WHEREAS, April 12, 2001, marks the 33rd anniversary of the passage of Title VIII of the Civil Rights Act of 1968, the Federal Fair Housing Law; and

WHEREAS, Camden County supports the efforts of local agencies, non-profits, the private sector, and individuals in ensuring compliance with the Federal Fair Housing Law; and

WHEREAS, Camden County affirms the right of all citizens to choose where they wish to live without encountering discrimination,

NOW THEREFORE BE IT RESOLVED that the Camden County Board of Commissioners does hereby proclaim the month of April 2001 as:

“FAIR HOUSING MONTH”

in Camden County, Georgia, and calls upon all citizens of our County to support the Federal Fair Housing Law.

Adopted this 17th day of April 2001.

d. Tax release applications:

The Tax Assessor’s office submitted a list of 18 tax release applications for the Board of Commissioners to consider. (A copy of the list is attached to these minutes.)

Motion by Commissioner Rhodes, seconded by Commissioner Rainer, and voted unanimously to approve the tax release applications as presented.

e. Contract – FEMA Project Impact Grant:

The Contract is between Glynn County, on behalf of the FEMA Project Impact Grant, and Camden County. The Scope of Work states that the following work and services will be provided: Community Education, Business Preparation for Disasters, Local Emergency Planning Committee (LEPC), Community Emergency Response Teams (CERT), Exercise Preparation and Planning, and Preparation and Planning Evaluation. The amount of the grant is \$11,840 and the County’s match is \$0.

Motion by Commissioner Becker, seconded by Commissioner Rhodes, and voted unanimously to approve the Contract for Professional Services between Glynn County, on behalf of the FEMA Project Impact Grant, and Camden County.

(A copy of the contract is on file in the County Administrator’s Office.)

5. Adjournment:

Motion by Commissioner Hase, seconded by Commissioner Becker, and voted unanimously to adjourn the meeting. (7:45 o’clock p.m.)

Respectfully submitted,

Stephen L. Berry
Chairman

Nancy C. Weisensee
Assistant County Administrator